

(b) *Eligibility.* Only the member, including the Chair, may vote on a motion before the ISCAP, with each represented member organization having one vote.

(c) *Voting procedures at meetings.* Votes are ordinarily taken and tabulated by a show of hands.

(d) *Passing a motion.* In response to a motion, members may vote affirmatively, negatively, or abstain from voting. A motion passes when it receives a majority of affirmative votes of the members voting. In circumstances in which members abstain from voting, a Panel decision to reverse an agency's classification decision requires the affirmative vote of at least a majority of the members present.

(e) *Votes in a non-meeting context.* The Chair may call for a vote of the membership outside the context of a formal ISCAP meeting. An alternate member may also participate in such a vote if the primary member cannot be present. The Executive Secretary records and retains such votes in a documentary form and immediately reports the results to the Chair and other primary or alternate members, including all notes of concurrence or dissent. If a member expresses dissent to taking a non-meeting vote, any member may request the Chair call a meeting of the members to discuss the issue under consideration and to hold an in-person vote.

#### § 2003.7 Support Staff (Article VII).

The staff of the Information Security Oversight Office (ISOO), National Archives and Records Administration, provides program and administrative support for the Panel. The Executive Secretary supervises the staff in this function pursuant to the direction of the Chair and ISCAP. On an as-needed basis, the Panel may seek detailees from agencies to augment the ISOO staff in support of the ISCAP. All staff must meet security access criteria in order to fulfill the Panel's functions.

#### § 2003.8 Records (Article VIII).

(a) *Integrity of ISCAP Records.* The Executive Secretary maintains records that are produced by or presented to the ISCAP or its staff in the performance of the Panel's functions, consistent with applicable law.

(b) *Access requests or Freedom of Information Act (FOIA) requests for ISCAP records.* The Panel refers any FOIA request or other access request for information that originated within an agency other than the ISCAP to that agency for processing. The Panel processes requests for information originated by the ISCAP in accordance with 44 U.S.C. sections 2201–2207 (Presidential Records Act).

(c) *Disposition.* The Executive Secretary maintains Panel records in accordance with 44 U.S.C. sections 2201–2207 (Presidential Records Act).

#### § 2003.9 Reports to the President (Article IX).

ISOO includes pertinent information and data about the activities of the Panel in ISOO's reports to the President of the United States. The Panel also includes such information in any reports it may make to the President. The Chair, in coordination with the other members of the ISCAP and the Executive Secretary, determines what information and data to include in each report.

#### § 2003.10 Approval, amendment, and publication of bylaws, rules, and procedures (Article X).

Approval and amendment of Panel bylaws, rules, and procedures requires the affirmative vote of at least four members. The Executive Secretary submits approved bylaws, rules, procedures, and their amendments, for publication in the FEDERAL REGISTER.

### Subpart B—Appeal Procedures

#### § 2003.11 Appeals of agency decisions regarding classification challenges under section 1.8 of the Order.

Authorized holders of information who, in good faith, believe that its classification status is improper may challenge an agency's classification of the information in accordance with agency procedures. After challenging the classification at the agency level, the authorized holder may appeal the agency's decision to the ISCAP.

(a) *Jurisdiction.* The ISCAP will consider and decide appeals from classification challenges that otherwise meet the standards of the Order if: